

#4

Docket No. VTTI-P2702

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tim Clark, Stephen J. Scherer, and Paul A. Rosenau

Serial No.: 09/872,133

Art Unit: 2121

Filed: June 1, 2001

Examiner: Ronald Hartman, Jr.

For: METHOD AND APPARATUS FOR REMOTELY MONITORING AND CONTROLLING POOL OR SPA

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JAN 13 2004

GROUP 3600

Mail Stop: Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2100

INFORMATION DISCLOSURE STATEMENT

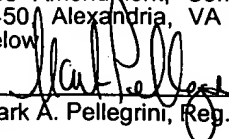
Sir:

Applicants have provided herewith the Office Action response, copies of materials the Applicant has cited in the aforementioned response as being applicable to at least U.S. Patent No. 6,192,282 issued to Smith. As this material relates to arguments set forth in the Applicants' response as they apply to the Smith reference, Applicants' believe that the materials merely constitute background information being provided for the Examiner's convenience and should not be considered as prior art as defined by the USPTO.

As such, Applicants' believe that no related fee is required. However, in the event that Applicants' are mistaken, please charge our Deposit Account No. 08-2624 for such fees.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.



December 22, 2003

Mark A. Pellegrini, Reg. No. 50,233

DATE

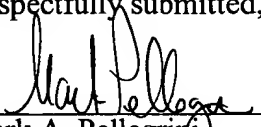
In compliance with Applicant's duty under 37 CFR §1.56, the following information is brought to the attention of the Examiner. In accordance with 37 CFR §1.98(d)(1), copies of the references submitted to or cited by the PTO in said application are not provided herewith.

The information identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR §1.56, and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR §1.97(h)), or even qualifies as "prior art" under 35 USC §§102-103 with respect to this invention unless specifically designated by Applicant.

The filing of this IDS shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR §1.56, exists.

Respectfully submitted,

Date: December 22, 2003


Mark A. Pellegrini
Reg. No. 50,233
J. Mark Holland & Associates,
a Professional Law Corporation
3 Civic Plaza, Suite 210
Newport Beach, California 92660
Telephone: 949-718-6750
PTO Customer Number 21,259

MAP:las
Enclosures

Please type a plus sign (+) inside this box → ☐

PTO/SB/08B (10-96)
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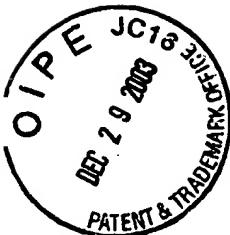
INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/872,133
Filing Date	June 1, 2001
First Named Inventor	Clark, Rosenau, Scherer
Group Art Unit	2121
Examiner Name	Ronald Hartman, Jr.
Attorney Docket Number	VTI-P2702



OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	CLARK, TIM; "Commercial and Industrial Applications of a microWebServer", presented at the 1st Annual Embedded Internet Conference held in San Jose, CA; September 2001.	
	2	GILL, PHILIP J., "Java Makes a Splash in Real Time", Java Report Magazine, October 2000.	
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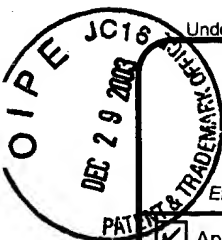
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 633

Complete if Known

Application Number 09/872,133
Filing Date June 1, 2001
First Named Inventor Tim Clark, et al.
Examiner Name Ronald Hartman, Jr.
Art Unit 2121
Attorney Docket No. VTTI-P2702

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METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 08-2624
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$) 47

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
47	-39 = 8	9	72
Independent Claims 8	-6 = 2	43	86
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 158

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053 130	1053 130	Non-English specification
1812 2,520	1812 2,520	For filing a request for ex parte reexamination
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251 110	2251 55	Extension for reply within first month
1252 420	2252 210	Extension for reply within second month
1253 950	2253 475	Extension for reply within third month
1254 1,480	2254 740	Extension for reply within fourth month
1255 2,010	2255 1,005	Extension for reply within fifth month
1401 330	2401 165	Notice of Appeal
1402 330	2402 165	Filing a brief in support of an appeal
1403 290	2403 145	Request for oral hearing
1451 1,510	1451 1,510	Petition to institute a public use proceeding
1452 110	2452 55	Petition to revive - unavoidable
1453 1,330	2453 665	Petition to revive - unintentional
1501 1,330	2501 665	Utility issue fee (or reissue)
1502 480	2502 240	Design issue fee
1503 640	2503 320	Plant issue fee
1460 130	1460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1806 180	1806 180	Submission of Information Disclosure Stmt
8021 40	8021 40	Recording each patent assignment per property (times number of properties)
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))
1801 770	2801 385	Request for Continued Examination (RCE)
1802 900	1802 900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 475

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Mark A. Pellegrini
Registration No. (Attorney/Agent) 50,233
Telephone 949 718-6750
Signature [Signature]
Date December 22, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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